

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Services - Commercial Taxes Department - Surprise check conducted by ACB on Border Check Post of Commercial Taxes, Nagalapuram, Chittoor District on 15-05-2008 - Departmental action against CT staff - Enquiry conducted - Action against Sri T.Mani, former Office Sub-ordinate, O/o.CTO, Proddutur-II, Chittoor District (now Retd.,) - Imposing punishment of 5% cut in pension for one year under Rule 9 of A.P.Revised Pension Rules, 1980 - Orders - Issued.

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**REVENUE (VIGILANCE.II) DEPARTMENT**

**G.O.Rt.No.1107**

**Dated:08-12-2014**

**Read the following :**

- 1.From DG, ACB, Lr.No.25/DES-TCT/2008, dt.28-08-2008.
- 2.Article of charges issued by the DC (CT) Chittoor, Rc.No.B1/298/2008, dated 04-12-2008.
- 3.From DC(CT)Chittoor, Progs.No.B1/291/08, dt.25-02-2009.
- 4.From DC(CT)Chittoor, Progs.No.B1/291/08, dt.09-10-2009.
- 5.From AC (CT), (Audit) Chittoor & EO, Enquiry Report No.1/09, dt.11-8-11
- 6.From DC(CT)Chittoor, Progs.No.B1/291/08, dt.08-12-2011.
- 7.From DC(CT)Chittoor, Progs.No.B1/291/08, dt.24-02-2012
- 8.From CTO (CT), Chittoor & EO, Enquiry Report No.1/09, dt.25-02-2013.
- 9.From DC(CT)Chittoor Memo No.B1/291/08, dt.31-10-2013
- 10.CCT Ref.No.V3/1617/08, dt.22-1-14 along with representation of Sri T.Mani, Office Subordinate, (CO6) (Retd), dt.30-11-2013
- 11.Govt.memo No.43629/Vig.II(3)/2008-8, dated 18-08-2014
- 12.Representation dated 04-09-2014 from Sri T.Mani, Office Subordinate (CO-6) (Retd.)
- 13.Govt.Letter No.46329/Vig.II(3)/2008-9, dt.28-10-2014.
- 14.From Secretary, AP.Public Service Commission, Lr.No.1193/RT/3/2014, dated 27-11-2014.

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**ORDER:**

Whereas in the reference 1<sup>st</sup> read above, it was brought to the notice of the Government that the ACB officials, Tirupathi Range have conducted surprise check on the Border Check Post of Commercial Taxes, Nagalapuram, Chittoor District on 15-05-2008 on the allegations that the staff working in the Check Post are indulging in corrupt practices and found certain irregularities. Hence recommended to initiate disciplinary action against Sri T.Mani, Office Subordinate (now Retd) & six others.

2. And whereas as per instructions issued by Government in memo dated 14-11-2008, the Disciplinary Authority i.e., the Deputy Commissioner, Commercial Taxes, Chittoor has initiated disciplinary action against the charged officer along with others. The following charge was framed against Sri T.Mani, Office Subordinate (Charged Officer-6) (now Retd.) vide reference 2<sup>nd</sup> read above :

**Charge :-**That Sri T.Mani, while working as Office Sub-ordinate, at the Border Check Post of CT, Nagalapuram, chittoor District was found in possessor of cash of Rs.850/- whereas he declared Rs.200/- in the Personal Cash Register being maintained at the check post at the time of taking charge of duty and at the time of surprise check on 15-05-2008 at 8-00 AM he was found present in the kitchen room situated adjacent to the check post allowing the private person M.Ravi to operate barricade at the check post.

p.t.o.

3. And whereas, the Written Statement of Defence submitted by the Charged Officer is not satisfactory, the Disciplinary Authority has ordered for a regular enquiry by appointing the Assistant Commissioner, Commercial Taxes (Audit), Chittoor Division as Enquiry Authority. The Enquiry Officer has submitted the Inquiry report vide reference 5<sup>th</sup> read above and held that the charge framed against Sri T.Mani, Office Subordinate (Charged Officer-6) (now Retd.) as not proved.

4. Whereas, the disciplinary authority after examining the Inquiry Report observed that the witnesses were not examined properly, hence ordered for re-enquiry into the matter by appointing Assistant Commissioner, Commercial Taxes (Audit) (FAC), Chittoor Division as Enquiry Authority. The second Inquiry Authority submitted the Inquiry Report vide reference 8<sup>th</sup> read above and also held that the charge framed against Sri T.Mani, Office Subordinate (Charged Officer-6) as not proved.

5. Whereas, the disciplinary authority has not accepted the findings of the second Inquiry Authority in respect of the Charge framed against Sri T.Mani, Office Subordinate (Charged Officer) on the ground that had the excess amount of Rs.11,050/- which was in possession of the four charged officers, of which Rs.650/- was in possession of the Charged Officer, really belongs to one Sri T.Rajesh alias Yadeswaram, Generator Operator of BCP, Nagalapuram who come to the Check Post at the time of surprise check to apply for leave, then the same would have been claimed by him either by making a representation to the Assistant Commercial Tax Officer, who is in-charge of the Check Post or to the ACB officials. In the first enquiry report also it is not mentioned about any claim made by him till 12-03-2010. Hence disagreed with the findings of both the Inquiry Officers and communicated the disagreement factor along with the Inquiry Report to the Charged Officer vide reference 9<sup>th</sup> read above.

6. The Commissioner of Commercial Taxes, A.P., Hyderabad vide reference 10<sup>th</sup> read above submitted report to the Government along with the representation dated 30-11-2013 of the Charged Officer to the disagreement factors for taking further action against him under Rule 9 of A.P.Revised Pension Rules, 1980 as the charged officer retired from service pending disciplinary action against him.

7. And whereas, the Government after considering the material available on record & after examining the representation of the Charged Officer have provisionally decided to impose a punishment of 5% cut in pension for one (1) year against Sri T.Mani, Office Subordinate, (Charged Officer - 6), Chittoor Division, Chittoor District (now Retd.,) under rule 9 of A.P.Revised Pension Rules, 1980, and communicated the same to Charged Officer vide reference 11<sup>th</sup> read above to submit his representation. The Charged Officer has submitted representation vide reference 12<sup>th</sup> read above re-iterating the contents earlier stated and requested to drop further action against him.

8. Government have examined the matter in detail and decided to confirm the provisional decision i.e., to impose the penalty of 5% cut in pension against Sri T.Mani, Office Subordinate, (Charged Officer-6), Chittoor Division, Chittoor District (now Retd.,) as he has not put forth any new grounds for consideration. The concurrence of the A.P.Public Service Commission has been obtained in the reference 14<sup>th</sup> read above (copy enclosed).

9. Government, accordingly hereby order to impose the punishment of 5% (five percent) cut in pension for a period of one (1) year against Sri T.Mani, Office Subordinate, (Charged Officer - 6) O/o. CTO, Proddutur-II, Chittoor District (now Retd.,) under rule 9 of A.P.Revised Pension Rules, 1980.

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**10.** The Commissioner of Commercial Taxes, A.P, Hyderabad shall take necessary further action in the matter, accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**S.P.SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri T.Mani, Office Subordinate, (retd.), O/o.CTO, Proddutur-II, Chittoor District  
**through** the Commissioner of Commercial Taxes, A.P, Hyderabad

The Commissioner of Commercial Taxes, A.P, Hyderabad

(with a request to serve the G.O on the individual and send the served copy  
with dated signature to Government)

**Copy to:**

The Secretary, A.P.Vigilance Commission, A.P., Hyderabad.

The Director General., Anti-Corruption Bureau., A.P., Hyderabad.

The Secretary, A.P. Public Service Commission, Hyderabad.

The Accountant General, AP, Hyderabad.

The Director, Treasuries & Accounts, A.P, Hyderabad.

The Dy.Commissioner, Commercial Taxes Department, Chittoor District  
SF/SC.

**//Forwarded :: By Order //**

**SECTION OFFICER.**